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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: Andrei S. DukhinApplication No.: 09,528,014

Art Unit:

Filed: 08/03/2001

Examiner:

Title: "Method for removal of heavy metals from aqueous solution  
by means of silica as adsorbent in counter - flow selective  
dialysis".

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

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DEC 15 2003

OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a  
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the  
expiration date of the period set for reply in the Office notice or action plus an extensions of time  
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**☒ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in

the form of \_\_\_\_\_ (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_.

- ☐ has been paid previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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2003/12/15 14:50:00

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### 3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

December 10, 2003

Date

Telephone  
Number: 914-241-4777

Signature

Andrei S. Dukhin

Typed or printed name

364 Adams Street

Address

Bedford Hills, NY 10507

Address

Enclosures: ☐ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

December 9, 2003  
Date

  
Signature

Andrei S. Dukhin

Type or printed name of person signing certificate



# DISPERSION TECHNOLOGY, INC.

364 Adams Street

Bedford Hills, NY 10507 U.S.A.

December 10, 2003

Official Draftsperson  
United States Department of Commerce  
Patent and Trademarks Office  
Washington, DC 20231

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**OFFICE OF PETITIONS**

**RE: Application No. 09/928,014**

Gentlemen,

In response to a Notice of Abandonment, mailed 11/24/2003, We hereby,  
Apply for "**Petition to Withdraw the Holding of Abandonment**".

The Petition is based on the following facts:

- 1) The note mailed on 10/24/2001 was never received in the correct department.
- 2) We did not become aware of the Notice of file missing parts until the 11/24//2003 notice arrived.
- 3) The 11/24/2003 notice arrived late because our office moved to a new location since the original filing.

A copy of our journal is attached.

We request that the application in question be revived on the grounds of  
**UNINTENTIONAL DELAY.**

Yours truly,

Andrei S. Dukhin  
12 Branch Street  
Goldens Bridge, NY 10526

**Journal 053**

**Application No. 09/928,014**

**Date**

**07/30/2001 Signed submission documents**

**07/30/2001 Wrote check \$380.00 for submission fee**

**07/30/2001 Mailed application with fee, via Certified mail**

**08/03/2001 Received Post Office receipt, noting PTO receipt .**

**12/03/2003 Received letter of abandonment dated 11/24/2003.**